

§ 646.220 What criteria apply to TANF/NEW tribes regarding the provision of “substantial services”?

None. Tribes which operate TANF or NEW programs do not need to meet the criteria for providing “substantial services” to public assistance recipients.

§ 646.225 If a tribe is awarded an INA WtW grant, is the tribe required to participate in an evaluation of the program?

Yes. The Act specifies that each INA WtW grantee “must agree to negotiate in good faith with the Secretary of Health and Human Services with respect to the substance and funding of any evaluation * * * and to cooperate with the conduct of any such evaluation.” [42 U.S.C. 612(a)(3)(B)(iv)]

Subpart C—Application for INA WtW Grants

§ 646.300 How does my tribe apply for an INA WtW grant?

Each eligible tribe must submit an INA WtW plan to the Department of Labor in accordance with the planning instructions issued by the Department of Labor. For those tribes with an approved tribal family assistance plan (TANF plan), the application for an INA WtW grant must take the form of an addendum to that TANF plan. Tribes already participating in the demonstration project under Public Law 102-477 [25 U.S.C. 3401 *et seq.*], The Indian Employment, Training and Related Services Demonstration Act of 1992, should reference § 646.900 of this part. Planning information is also available on the INA WtW web site at www.wdsc.org/dinap.

§ 646.305 Can a consortium of Federally-recognized tribes apply for an INA WtW grant on behalf of consortium member tribes approved to operate a TANF or NEW program?

Yes. Consortium member tribes which operate approved TANF or NEW programs are by law eligible to apply for an INA WtW grant. Their consortium may apply for the INA WtW grant on their behalf, under the following circumstances: if an established consortium exists for one purpose, such as op-

erating a JTPA grant, this established consortium may apply for an INA WtW grant on behalf of those member tribes authorized to receive NEW funding.

§ 646.310 Some of our consortium members operate their own TANF/NEW programs, and some do not. Can we still apply for an INA WtW grant as a consortium?

Yes. For those consortium member tribes which DO NOT operate TANF or NEW programs, they must collectively meet the “substantial services” criteria.

§ 646.315 If our consortium members not operating TANF or NEW programs meet the “substantial services” criteria, do we then have to submit two separate INA WtW plans?

Yes. Because of the different funding formulas involved for FY 1998, such a “mixed consortium” (composed of tribes which operate TANF/NEW programs and those which do not) shall submit two plans for providing WtW services across the consortium, one plan for the TANF/NEW tribes and the other for those tribes eligible under the “substantial services” criteria. However, once both plans have been funded, the consortium may administer one program across the consortium.

§ 646.320 If we choose to operate a single INA WtW program for our “mixed consortium” for FY 1998, must we submit a single plan to the Department for FY 1999?

Yes. All FY 1998 INA WtW grantees must submit AFDC/TANF counts to the Department so that a single funding formula may be utilized for FY 1999.

§ 646.325 What unique documentation is required of a tribal consortium?

Consortium tribes must submit a legally-binding consortium agreement signed by all the tribes in the consortium with the grant application.

§ 646.330 If our tribe did not receive an INA WtW grant for FY 1998, can we still receive funding for FY 1999?

Yes, provided the tribe or consortium is eligible under the criteria cited at § 646.200 of this part. Tribes or consortia